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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/500,523

06/30/2004

Amos G Winter

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12/19/2005

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EXAMINER

COLETTA, LORI L

ART UNIT

PAPER NUMBER

3612

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/500,523

Applicant(s)

WINTER, AMOS G

Examiner

Lori L. Coletta

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 12-33, 37-40, 42-49, 51-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24-32 is/are allowed.
- 6) ☒ Claim(s) 1-9, 12, 18, 19, 33, 37, 38, 40, 42, 46-49, 51-54 is/are rejected.
- 7) ☒ Claim(s) 13-17, 20-23, 39 and 43-45 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 09202004&12202004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 6, 18, 19, 37 and 40 are objected to because of the following informalities:

Regarding claim 6, "drivers" (line 3) needs to be changed to --driver's--.

Claims 18 and 19 recites the limitation "said vehicle". There is insufficient antecedent basis for this limitation in the claim.

Claim 37 depends from cancelled claim 36.

Claim 40 depends from cancelled claim 34.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 18, 19, 33 and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Renaud '716.

Regarding claim 1, Renaud '716 discloses a motorized recreational vehicle (10) with living space (14) and storage space (16) comprising a vehicle body of unibody construction having a front end, bottom, sidewalls, and top, and being further configured with an openable rear end and an access door proximate said front end, at least one rear wheel suspension system, at least one storage area disposed within said vehicle body, said storage area at least partially

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extending between said bottom and said floor structure, said storage area being accessible at least through said openable rear end.

Regarding claim 18, Renaud '716 discloses a motorized recreational vehicle (10) comprising a vehicle body of substantially unibody construction having front end, bottom, sidewalls and top; a suspension system, an engine and drive train; a living compartment; and wherein said motorized recreational vehicle has a wet weight that is less than 80% of a gross vehicle weight rating of said vehicle.

Regarding claim 19, Renaud '716 discloses the motorized recreational vehicle (10), said motorized recreational vehicle having a wet weight that is less than 65% of said gross vehicle weight rating of said vehicle.

Regarding claim 33, Renaud '716 discloses a motorized recreational vehicle (10) comprising a vehicle body of substantially unibody construction having front end, bottom, sidewalls, rear and top; a suspension system; an engine and drive train; a living compartment; and at least one storage compartment below the floor of the living compartment, at least a portion of said storage compartment configured as a garage accessible to at least one automotive through an openable hatch disposed in said rear of said vehicle body.

Regarding claim 38, Renaud '716 discloses a motorized recreational vehicle (10) wherein said hatch is configured to act as a ramp and raised to a vertical orientation with the closing of said hatch.

4. Claims 42 and 46 are rejected under 35 U.S.C. 102(a) as being anticipated by Hanser et al. 6,345,855.

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Regarding claim 42, Hanser et al. '855 discloses an expandable living compartment in a motorized recreational vehicle, said living compartment comprising an elevated portion of said motorized recreational vehicle, said portion comprising a roof, floor, front end, back end, and first and second side walls, at least one extendible component having interior and exterior surfaces, and disposed within an aperture in at least one side wall; said floor comprising a floor panel support structure and at least one floor panel of which at least one outboard edge is movable by means of at least one actuator from a lower, downward sloping configuration wherein said at least one extendible component may be placed in a retracted position over said floor panel, to raise, level configuration available only when said at least one extendible component is extended.

Regarding claim 46, Hanser et al. '855 discloses the expandable living compartment, wherein said actuator comprises at least one pneumatic bladder.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Renault 3,961,716 in view of Wardavoir 5,393,094.

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Regarding claim 6, Renault '716 discloses a motorized recreational vehicle further comprising a driver's steering console at a driver's station connected to a steerable front wheel suspension system providing directional capability for said vehicle but does not show said drivers steering console being retractable from said driver's station when not in use.

Wardavoir '094 teaches said drivers steering console being retractable from the driver's station when not in use.

Regarding claim 6, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the motorized recreational vehicle of Renault '716 with a driver's steering wheel being retractable from the driver's station when not in use, as taught by Wardavoir '094, in order to move the steering wheel between a utilization position and a retracted position in which the steering column occupies a reduced volume of the vehicle passenger compartment.

7. Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Renault 3,961,716 in view of Martin 6,135,532.

Regarding claim 7, Renault '716 discloses a motorized recreational vehicle but does not show said storage area extending vertically upward behind said living compartment.

Martin '532 teaches a storage area extending vertically upward behind said living compartment.

Regarding claim 7, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the motorized recreational vehicle of Renault '716 with a storage area extending vertically upward behind the living compartment, as taught by Martin '532, in order to provide a spacious storage area.

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Regarding claim 9, Renault '716, as modified, discloses a motorized recreational vehicle, comprising a rear end ramp extendible to ground level for delivering and removing a vehicle into and out of said storage area.

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Renault 3,961,716 in view of Martin 6,135,532 as applied to claim 7 above, and further in view of Johnson, Jr. 4,966,510.

Regarding claim 8, Renault '716, as modified, discloses a motorized recreational vehicle but does not show said storage area comprising upper and lower levels within said storage area and a mechanism for elevating objects from ground level to said upper level.

Johnson, Jr. '510 teaches a storage area comprising upper and lower levels within the storage area and a mechanism for elevating objects from ground level to the upper level.

Regarding claim 8, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the motorized recreational vehicle of Renault '716, as modified, with a storage area comprising upper and lower levels within the storage area and a mechanism for elevating objects from ground level to the upper level, as taught by Johnson, Jr. '510, in order to support different types of loads on a wheeled vehicle during over the road travel.

9. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Renault 3,961,716 in view of Northrup 2,032,630.

Regarding claim 53, Renault '716 discloses a motorized recreational vehicle but does not show a windshield aperture and an operable windshield assembly.

Northrup '630 teaches a windshield aperture and an operable windshield assembly.

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Regarding claim 53, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the motorized recreational vehicle of Renault '716 with a windshield aperture and an operable windshield assembly, as taught by Northrup '630, in order to open the windshield for ventilation.

10. Claim 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over Renault 3,961,716 in view of Northrup 2,032,630 as applied to claim 53 above, and further in view of Beuerle 6,015,180.

Regarding claim 54, Renault '716, as modified, discloses a motorized recreational vehicle but does not show said windshield aperture configured with a retractable screen assembly.

Beuerle '180 teaches a windshield aperture configured with a retractable screen assembly.

Regarding claim 54, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the motorized recreational vehicle of Renault '716, as modified, with a windshield aperture configured with a retractable screen assembly, as taught by Beuerle '180, in order to provide a sunscreen for the windshield of the motorized recreational vehicle.

11. Claims 12 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crean 6,447,048 in view of Bersani 5,170,901.

Regarding claim 12, Crean '048 discloses a motorized recreational vehicle, said vehicle comprising at least one expandable living compartment disposed within a vehicle body; said expandable living compartment comprising at least one extendible component having first, second, and third walls, a floor and a roof, said walls, floor and roof each having interior and exterior surfaces and inboard and outboard sides, said extendible components being extendible from within said living compartment through a respective sidewall opening of said vehicle body.

However, Crean '048 does not show wherein said inboard edge of said roof of said extendible component is configured to mate with the outboard edge of said interior of said top of said vehicle body thereby forming a substantially flush joint providing a continuous ceiling profile and a continuous exterior top profile extending across said expandable living compartment.

Bersani '901 teaches an inboard edge of the roof of the extendible component is configured to mate with the outboard edge of the interior of the top of the vehicle body thereby forming a substantially flush joint providing a continuous ceiling profile and a continuous exterior top profile extending across the expandable living compartment.

Regarding claim 12, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the motorized recreational vehicle of Crean '048 with an inboard edge of the roof of the extendible component is configured to mate with the outboard edge of the interior of the top of the vehicle body thereby forming a substantially flush joint providing a continuous ceiling profile and a continuous exterior top profile extending across the expandable living compartment, as taught by Bersani '901, in order to provide a airtight and watertight motorized recreational vehicle.

Regarding claim 2, Crean '048, as modified, discloses a motorized recreational vehicle a floor of said extendible component when said extendible component is fully extended being substantially level with said floor structure of said living compartment.

12. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crean 6,447,048 in view of Bersani 5,170,901 as applied to claim 2 above, and further in view of Hanser et al. 6,345,855.

Regarding claim 3, Crean '048, as modified, discloses a motorized recreational vehicle but does not show said floor structure comprising at least one retractable floor panel and floor panel operating mechanism configured such that when said extensible components are extended, said floor panel is extendible to and is supportable in a position flush with said interior surface of said floor of said extendible component, and such that said floor panel is retractable beneath the level of said floor of said extendible component for retraction of said extendible component.

Hanser et al. '855 teaches a floor structure comprising at least one retractable floor panel and floor panel operating mechanism configured such that when a extensible components are extended, a floor panel is extendible to and is supportable in a position flush with an interior surface of a floor of said extendible component, and such that a floor panel is retractable beneath the level of a floor of an extendible component for retraction of an extendible component.

Regarding claim 3, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the motorized recreational vehicle of Crean '048, as modified, with a floor structure comprising at least one retractable floor panel and floor panel operating mechanism configured such that when a extensible components are extended, a floor panel is extendible to and is supportable in a position flush with an interior surface of a floor of

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said extendible component, and such that a floor panel is retractable beneath the level of a floor of an extendible component for retraction of an extendible component, as taught by Hanser et al. '855, in order to provide a continuously level floor extending from the interior vehicle floor, to the slide out room floor.

Regarding claim 4, Crean '048, as twice modified, discloses a motorized recreational vehicle, said floor panel operating mechanism comprising a fixed floor panel inboard edge support, a floor panel lifting mechanism, and a retractable floor panel outboard edge support.

Regarding claim 5, Crean '048, as twice modified, disclosed a motorized recreational vehicle, said floor panel operating comprising at least one pneumatic actuator disposed between said floor structure and said floor panel.

Allowable Subject Matter

13. Claims 24-32 are allowed.

14. Claims 13-17, 20-23, 39, 43-45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is 571-272-6658.

The examiner can normally be reached on Monday-Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lori L. Coletta
Primary Examiner
Art Unit 3612

llc
December 12, 2005